

Celsius Case No. 22-10964

August 4, 2024

Dear Honorable Judge Glenn,

I am submitting this to petition this Court for an Order to direct the plan sponsor and Ionic Digital, Inc. to provide its shareholders an immediate update on the status of its efforts to register its shares with the SEC along with any other relevant information regarding Ionic's activities which affect shareholders' interests.

As a creditor of Celsius Network and a resultant forced shareholder of Ionic Digital Inc. I have grave concerns that Ionic is not meeting their fiduciary duties. Despite Ionic having promised "committing to transparency and consistent communication to set a new standard of excellence for the industry" there has been zero transparency and essentially zero communications in regards to their activities.

Ionic has utterly failed to keep shareholders informed with periodic updates of their status and progress in general and more specifically of their progress in taking the mining company public. Said failures has left shareholders completely in the dark for over six months now since the effective date leaving us to expect nothing but the worst.

As a result of Ionic's failure to keep shareholders informed with periodic updates of their activities that affect shareholders' interests, rumors are circulating. Rumors that Ionic board members are likely self-dealing and not acting in the best interest of the corporation and its shareholders, as well as rumors that Ionic will likely end up in bankruptcy. Furthermore, shareholders have no way to hold Ionic accountable to their fiduciary duties of care, loyalty, good faith and disclosure due to Ionic's communications failure and lack of transparency with its shareholders.

Even more alarming, and further supporting shareholders' grave concerns, is that Ionic's Board Observer Brett Perry @BrettPerryTweet has recently been posting on X (formerly Twitter) implying that there are indeed egregious problems underfoot with Ionic.

Following is a sampling of Mr. Perry's posts:

"Fellow Ionic shareholders, you've been kept in the dark too long. Let Judge Glenn and the press know. I'll ensure your voices are heard by the board & management. Reject the misuse of our money as a personal piggy bank and lack of respect shown to us all."

"Your frustration is completely understandable. Bring awareness to Judge Glenn and the press, and I'll make sure your concerns are heard by the board & management. I am very much against our money being treated as a personal piggy bank."

"So true. From the very beginning, I said the best option for creditors was to liquidate. Now I must witness behavior that goes against everything I believe in."

"Ruppi, I appreciate your thoughtful and level headed comments. In hindsight, I should have played hardball and never supported the plan. Unfortunately, this board can't even adhere to the terms of the board agreement."

“Joe and I shared the photos of the mining sites because we believe the victims forced into this investment deserve transparency. I recognize that a few photos weren't much and everyone deserves better. What has been provided so far is a joke.”

As an additional note I objected to the NewCo Plan (see ECF documents #3547, #3780, #3938, #3942) and voted no to it for numerous reasons including having a heavy sense of underhandedness and self-serving going on by the parties who formulated the Plan. This perception that I had was due in part to a lack of communication and transparency to creditors by the UCC of which two UCC members are now serving as Directors on Ionic's Board.

Lack of transparency is essentially what duped us creditors into losing approximately 72%+ of our cryptocurrency with Celsius Network and here we are again in the same position of having a lack of transparency with Ionic Digital. But this time, as shareholders, we are at risk of losing it all.

Thank you for your time and I greatly appreciate any and all assistance you can offer on this matter.

David Schneider
Pro Se